

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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CHARLES JOSEPH FREITAG, JR., as	:	NO.: 2:19-cv-05750-JMG
Administrator of the ESTATE OF	:	
CHARLES JOSEPH FREITAG, SR.,	:	CIVIL ACTION – LAW
Plaintiff	:	
	:	JUDGE JOHN M. GALLAGHER
v.	:	
	:	
BUCKS COUNTY; et. al.	:	
Defendants	:	JURY TRIAL DEMANDED

**ORDER**

AND NOW, this \_\_\_\_\_ day of June 2022, upon consideration of the unopposed Joint Motion of Defendants for Leave to File a Reply to Plaintiff’s Opposition to Defendants’ Motions for Summary Judgment, it is hereby ORDERED that the Motion is **GRANTED**, and the Defendants may file a Reply to Plaintiff’s Opposition to Defendants’ Motions for Summary Judgment seven (7) days from the entry of this Order or June 21, 2022 whichever is later.

BY THE COURT:

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JOHN M. GALLAGHER  
United States District Court Judge

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Administrator of the ESTATE OF	:	
CHARLES JOSEPH FREITAG, SR.,	:	CIVIL ACTION – LAW
Plaintiff	:	
	:	JUDGE JOHN M. GALLAGHER
v.	:	
	:	
BUCKS COUNTY; et. al.	:	
Defendants	:	JURY TRIAL DEMANDED

**JOINT UNOPPOSED MOTION OF DEFENDANTS FOR LEAVE TO FILE  
REPLY MEMORANDA IN RESPONSE TO PLAINTIFF’S OPPOSITION  
TO DEFENDANTS’ MOTIONS FOR SUMMARY JUDGMENT**

Defendants, by and through their respective counsel, respectfully request permission to file reply memoranda in response to Plaintiff's opposition to the Defendants' Motions for Summary Judgment by respectfully stating the following:

1. There are civil rights claims against Defendants.
2. Two Motions for Summary Judgment were filed: one filed by County Defendants (Doc. 79) and another filed by the PrimeCare Defendants (Doc. 77).
3. In response to both Motions for Summary Judgment, Plaintiff filed a Consolidated Statement of Facts (Doc. 90-2) containing 188 factual allegations relating to the County Defendants and PrimeCare Defendants.
4. Plaintiff has also filed a Supplemental Appendix (Doc. 90-5) containing 19 supplemental and/or additional exhibits.

5. Given the amount of facts and the Supplemental Appendix Plaintiff has submitted, the Defendants must go through those facts and determine which ones relate to the County Defendants and which ones relate to the PrimeCare Defendants and identify the places in the record Plaintiff claims support those statements.

6. Your Honor's policies and procedures provide that reply briefs "are not permitted unless leave to file them is granted upon motion of a party. Such briefs must be concise and address only new issues raised by opposing counsel."

7. In accordance with that policy, Defendants request leave to file a Reply Brief in response to Plaintiff's Opposition to Defendants' Motions for Summary Judgment.

8. Defendants believe that the proposed reply memoranda is appropriate given the need to adequately address the 188 factual allegations and 19 supplemental and/or additional exhibits in Plaintiff's Opposition. Defendants' reply memoranda will concisely present the facts and the law, address Plaintiff's factual allegations, and will assist this Court in its review of the issues presented.

9. Counsel for the PrimeCare Defendants has discussed Defendants' request for permission to file reply memoranda with Plaintiff's counsel, and Plaintiff's counsel has no objection to the Defendants' Motion.

10. Counsel are also available to discuss with this Court trial scheduling and how the Motions for Summary Judgment may impact the current trial schedule.

WHEREFORE, Defendants respectfully request that this Court grant them leave to file a Memorandum of Law in Response to Plaintiff's Opposition to Defendants' Motion for Summary Judgment.

Respectfully submitted,

MARSHALL DENNEHEY WARNER COLEMAN  
& GOGGIN

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*Attorney for PrimeCare Defendants*

Date: June 14, 2022

### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 14<sup>th</sup> day of June, 2022, the foregoing *Joint Unopposed Motion of Defendants for Leave to File Reply Memoranda in Response to Plaintiff's Opposition to Defendants' Motions for Summary Judgment* was electronically filed with the Clerk of Court using the CM/ECF system which will send notification of such filing to counsel of record, which service satisfies the requirements of the Federal Rules of Civil Procedure.

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